

REMARKS

In the Office Action mailed February 10, 2005, the Examiner rejected claims 1-12 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0229875 to Smith. Claims 1-12 remain pending for reconsideration, which is respectfully requested. No new matter has been added.

Applicants file herewith a Declaration under 37 C.F.R. § 1.131. Applicants respectfully submit that in accordance with 37 C.F.R. § 1.131(b), the Declaration presents a showing of facts that establishes that conception of the present invention occurred prior to the effective date of the reference Smith and further establishes due diligence from a time prior to said effective date to the filing of the application for patent. Therefore, withdrawal of the rejection is respectfully requested.

In accordance with 37 C.F.R. § 1.131(b), photocopies of original exhibits of drawings or records accompany and form part of the Declaration.


There being no further outstanding objections or rejections, it is submitted that all claims are in a condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 10 AUG 05

By: 
Reginald D. Lucas
Registration No. 46,883

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501